

IN RE: PETITION FOR ZONING VARIANCE
OF CORNER YORK & TIMONIUM ROADS
(2085 YORK ROAD)
9TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
JAMES STRATAKIS, et ux
Petitioners

* BEFORE THE:
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 92-328-A
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance in which the Petitioners and Contract Lessee, Nationwide Motor Sales Corporation, by and through their attorney, Stuart D. Kaplow, request relief from Section 413.2.F of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total signage of 337.1 sq.ft. in lieu of the permitted 100 sq.ft. in accordance with Petitioner's Exhibit 3.

The Petitioners, by Stuart C. Goldstein, Vice President of Nationwide Motor Sales Corporation, Contract Lessee, appeared, testified and were represented by Stuart D. Kaplow, Esquire. Also appearing on behalf of the Petition were Deborah W. Steele, David M. Billingsley and Robert E. Nethen. Appearing and testifying as Protestants in the matter were Dr. Ernest Hindrichs and Mary Ginn.

Testimony indicated that the subject property, known as 2085 York Road, consists of 0.931 acres, more or less, zoned B.R. and is improved with an automobile sales and service operation known as Nationwide Motors. Petitioners filed the instant Petition in order to legalize an existing Nissan sign, which consists of 181.1 sq.ft. total, and two proposed signs of 12.0 sq.ft. and 34.0 sq.ft., respectively, as more particularly described on Page 2 of Petitioner's Exhibit 3. Stuart Goldstein testified that because of the current economic climate, Nationwide Motors has been

forced to close their Isuzu Motor Sales Dealership, which is currently located across York Road from the subject site, and relocate same to the subject property. In so doing, the Petitioners are required, by virtue of their franchise agreement with Isuzu, to provide one freestanding Isuzu sign on the property. Mr. Goldstein stated that they will be removing the existing Isuzu sign from its present location across the street. Furthermore, Mr. Goldstein stated that the Petitioners are now beginning to sell Suzuki automobiles. Again, pursuant to the franchise agreement entered into with the Suzuki Motor Corporation, the Petitioners are required to provide one freestanding Suzuki sign on the subject property.

Robert Nethen appeared and testified on behalf of the Petition. Mr. Nethen is associated with Claude Neon Signs and has been in the business for the past 47 years. Mr. Nethen testified that the signs proposed by the Petitioners are the smallest signs allowed and manufactured by the Isuzu and Suzuki manufacturers. Testimony indicated that to require strict compliance with the zoning regulations would result in practical difficulty and unreasonable hardship for the Petitioners.

Appearing and testifying in opposition to the Petitioners' request were Dr. Ernest Hindrichs and Mary Ginn. The cumulative testimony of the Protestants was that they are generally opposed to the Petitioners' request. The Protestants believe that the proposed signs will add to the visual pollution that already exists along York Road in this particular area. The Protestants also believe that the proposed signs are unnecessary as the site already contains a sufficient amount of signage.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

his property. McLean v. Soluy, 770 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18 day of June, 1992 that the Petition for Zoning Variance requesting relief from Section 413.2.F of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total signage of 337.1 sq.ft. in lieu of the permitted 100 sq.ft., in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The variance granted herein is limited to the existing Nissan sign and the two proposed freestanding signs for Suzuki and Isuzu, all of which are more particularly described on Page 2 of Petitioner's Exhibit 3. In the event the Petitioners no longer sell Suzuki or Isuzu automobiles from the subject site, the two signs for said dealerships shall be removed from the property. The Petitioners are prohibited from replacing either of these signs with a sign of another automobile manufacturer unless and until the replacement sign is approved by way of another public hearing.
- 3) All lighting on the subject property shall be directed away from and not reflect upon any adjoining residential property.
- 4) All lighted signs shall be extinguished by 12:00 AM.
- 5) The audio speaker system used by the Petitioners on the subject site shall deflect away from adjoining residential properties so as to eliminate or diminish the effect this noise may have on adjoining residences.
- 6) There shall be no temporary sign permits issued for the subject property. The property already con-

ORDER RECEIVED FOR FILING

Date 6/1/92
By gjs

ORDER RECEIVED FOR FILING

Date 6/1/92
By gjs

ORDER RECEIVED FOR FILING

Date 6/1/92
By gjs

ORDER RECEIVED FOR FILING

Date 6/1/92
By gjs

ains a sufficient amount of signage and there shall be no need for additional temporary signs.

7) The Petitioners are prohibited from displaying any large balloons on the exterior of the building or parking lot of the subject site. This would include mylar or inflatable quirls, blimps, or any other similar type of inflatable device.

8) As of the date of this hearing, the Petitioners had not yet complied with the approved landscape plan filed with Baltimore County in accordance with the Order issued in prior Case No. 90-151-A for their Infinity Dealership located on Timonium Road. Prior to the issuance of any permits in the instant matter, Petitioners shall complete all planting and landscaping required in accordance with the approved plan in Case 90-151-A.

9) The Petitioner has thirty (30) days from the date of this Order to take an appeal of this decision. In the event that the Petitioner takes an appeal of any restriction set forth above, such appeal shall be an appeal of the entire Order, and as such, this matter would be heard de novo in its entirety at the Board of Appeals level.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 6/1/92
By gjs

Suite 111, Centhouse
400 Washington Avenue
Towson, MD 21201

June 1, 1992

Stuart D. Kaplow, Esquire
Frank, Bernstein, Conway and Goldman
300 East Lombard Street, Suite 1700
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
SR/Corner York and Timonium Roads
(2085 York Road)
9th Election District - 4th Councilmanic District
James Stratakis, et ux - Petitioners
Case No. 92-328-A

Dear Mr. Kaplow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Dr. Ernest Hindrichs
211 Chapel Valley Lane, Timonium, Md. 21093

Ms. Mary Ginn
606 Horncrest Road, Towson, Md. 21204

People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County 92-328-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2.F, to permit 337.1 sq. feet of sign area in lieu of the permitted 100 sq. feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
Strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome. The grant would do substantial justice to the applicant as well as other property owners in the district and no lesser relaxation than that applied for would give substantial relief. And relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Owner(s)/Lessee(s):

Nationwide Motor Sales Corp.
(Type or Print Name) William H. Schaefer, Jr.
Signature [Signature]

2085 York Road
Timonium, Maryland
City and State

Attorney for Petitioner:

Stuart D. Kaplow
Address
Frank, Bernstein, Conway & Goldman
Suite 1700, 300 East Lombard Street
Baltimore, Maryland 21202
City and State
Attorney's Telephone No.: (410) 625-3775

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

James Stratakis

(Type or Print Name)

Signature [Signature]

Georgia Stratakis

(Type or Print Name)

Signature [Signature]

718 York Road 252-8000

Towson, Maryland 21204

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Stuart D. Kaplow

Name Suite 1700, 300 E. Lombard Street

Baltimore, Maryland 21202 (410) 625-3775

Address Phone No. 33

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR.

AVAILABLE FOR HEARING

ALL OTHER

REVIEWED BY: LC DATE

ORDER RECEIVED FOR FILING

Date 6/1/92
By gjs

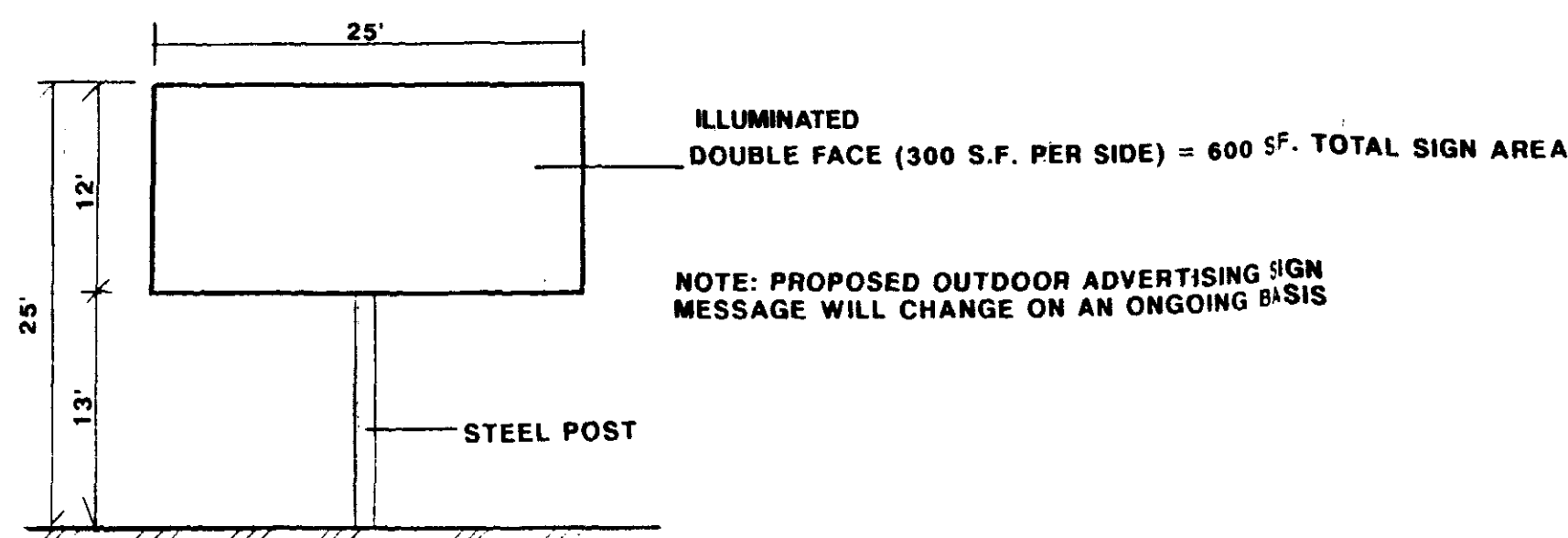
DESCRIPTION TO ACCOMPANY VARIANCE REQUEST

Beginning at a point formed by the intersection of the center of York Road (Md. Rte. 45) with the center of Timonium Road, thence North 70° 58' 16" East 178 feet, thence South 19° 01' 44" East 395 feet to a point in the center of Cinder Road, thence South 85° 51' 50" West 184.00 feet, thence North 19° 01' 44" West 348 feet to the place of beginning.

Being Known as 2085 York Road and located in the Eighth Election District of Baltimore County, Maryland.

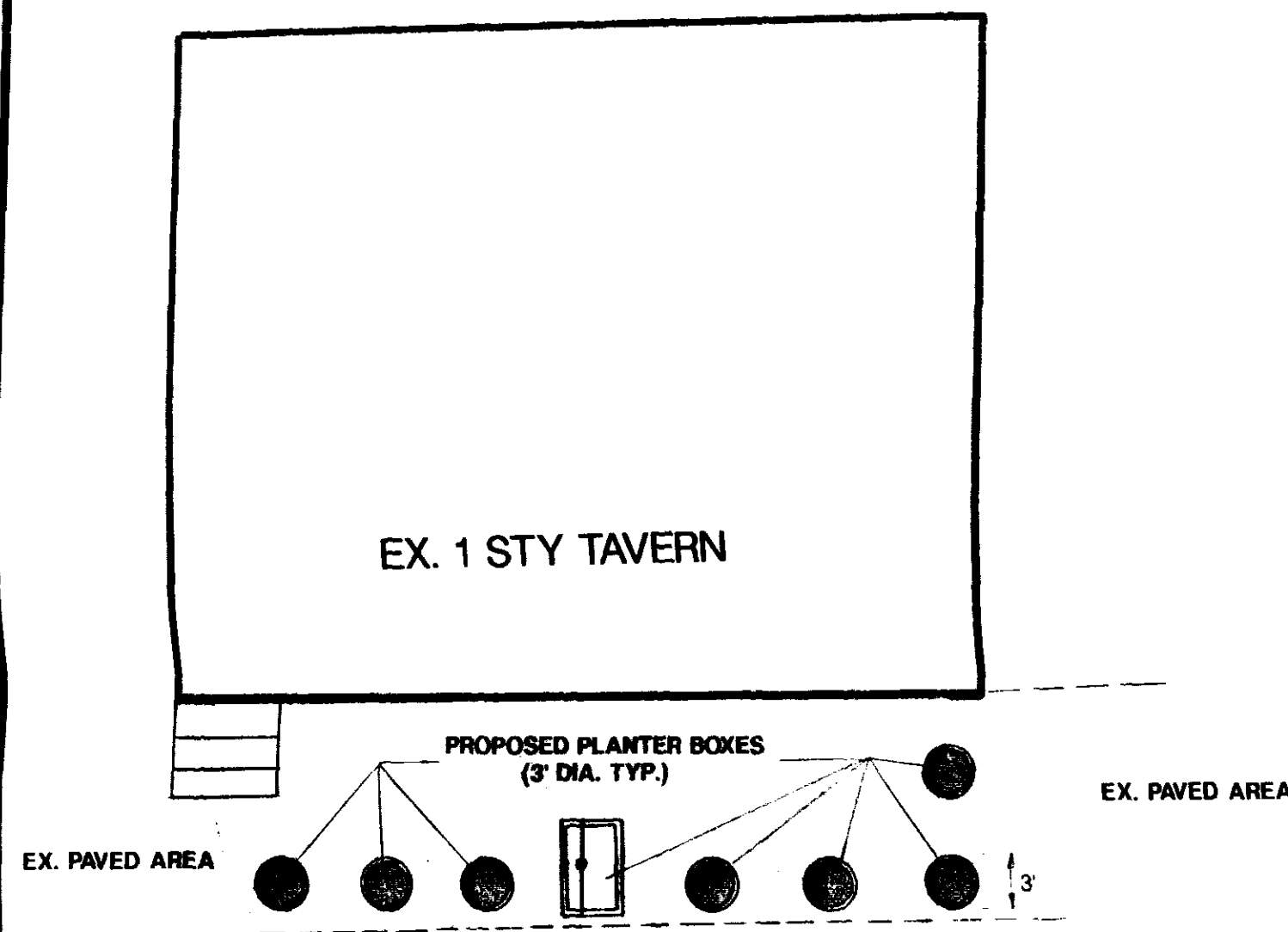
CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 7A Date of Posting 6/1/92
Posted for: Stuart D. Kaplow
Petitioner: James Stratakis & Georgia Stratakis
Location of property: 2085 York Rd
Location of Sign: Timonium, Baltimore County, Md.
Remarks: 92-328-A
Posted by: [Signature] Date of return: 7/20/92
Number of Signs: 1

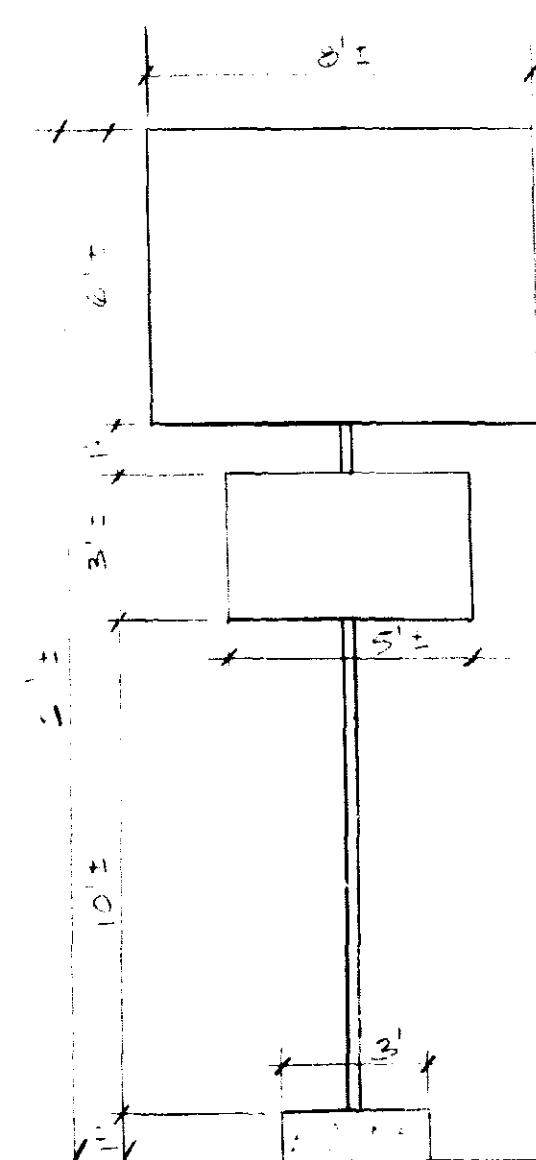


ELEVATION
PROPOSED OUTDOOR ADVERTISING SIGN
SCALE: 1" = 10'

PLANTER BOX DETAIL
SCALE: 1" = 10'



BELAIR ROAD
NOTE: EACH PLANTER BOX WILL BE LANDSCAPED WITH A COMBINATION OF EVERGREEN SHRUBS AND SEASONAL FLOWERS



EXISTING SIGN ELEVATION
(LITTLE FALLS TAVERN)
SCALE: 1/4" = 1'

CASE # 92-332-1A

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the relief requested in the special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of May, 1992 that the Petition for Special Exception to permit on 12' x 25' illuminated double-faced advertising sign, pursuant to Section 413.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and

IT IS FURTHER ORDERED that the Petition for zoning Variance requesting relief from Section 413.3(B) of the B.C.Z.R. to permit said sign to be located where less than 50' (50' +/-) of the available frontage between streets is improved with commercial uses, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Prior to the issuance of any permits, Petitioners shall submit a revised site plan incorporating the relief granted herein, including the proposed landscape/barrier treatment along Belair Road, for approval by the Deputy Zoning Commissioner. The revised site plan shall be submitted to this office within forty-five (45) days of the date of this Order.
3. When applying for any permits, the site plan and/or landscape plan filed must reference this case and set forth and address the restrictions of this Order.

By: Timothy M. Kotroco
Deputy Zoning Commissioner
for Baltimore County

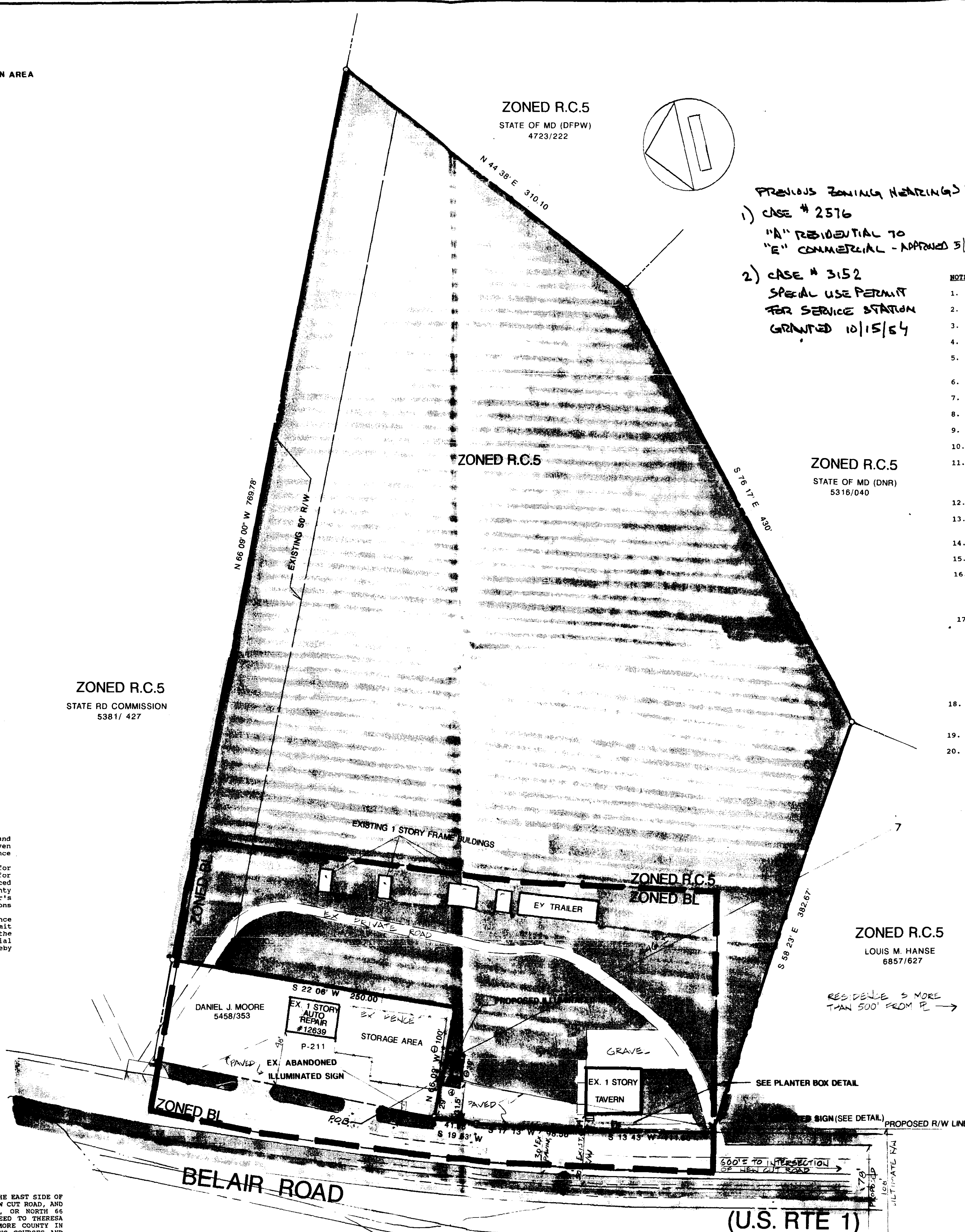
ZONING DESCRIPTION
OUTDOOR ADVERTISING SIGN PERMIT
12627 BELAIR ROAD
BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT 600 FEET, MORE OR LESS, ALONG THE EAST SIDE OF BELAIR ROAD, 50 FEET WIDE, FROM THE CENTERLINE OF NEW CUT ROAD, AND 5.1 FEET, MORE OR LESS, FROM THE END OF THE 300' OR NORTH 66 DEGREES, 09 MINUTES WEST, 100 FOOT LINE OF THE DEED TO THERESA HOFFMAN RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 4964, FOLIO 482; THENCE RUNNING THE FOLLOWING COURSES AND DISTANCES:

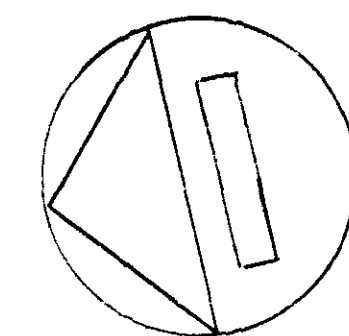
1. SOUTH 66 DEGREES, 09 MINUTES, 00 SECONDS EAST, 30 FEET
2. SOUTH 23 DEGREES, 51 MINUTES, 00 SECONDS WEST, 15 FEET
3. NORTH 66 DEGREES, 09 MINUTES, 00 SECONDS WEST, 30 FEET
4. NORTH 23 DEGREES, 51 MINUTES, 00 SECONDS EAST, 15 FEET TO THE POINT OF BEGINNING.

CONTAINING 450 SQUARE FEET OF LAND, MORE OR LESS.

ZONED R.C.5
STATE RD COMMISSION
5381/427



ZONED R.C.5
STATE OF MD (DFPW)
4723/222



PREVIOUS ZONING HEARINGS:

- 1) CASE # 2576
"A" RESIDENTIAL TO
"E" COMMERCIAL - APPROVED 5/21/53
- 2) CASE # 3152
SPECIAL USE PERMIT
FOR SERVICE STATION
GRANTED 10/15/54

NOTES:

1. EXISTING ZONING: BL - CR
2. PROPOSED ZONING: BL - CR
3. LOT AREA: 8.27 AC +/- GROSS
4. NET AREA: 8.10 AC +/- NET
5. SPECIAL EXCEPTION: TO PERMIT A FREE STANDING ILLUMINATED OUTDOOR ADVERTISING SIGN
6. VARIANCES: SEE NOTE 20.E.
7. EXISTING USE: TAVERN (TO REMAIN)
8. PROPOSED USE: OUTDOOR ADVERTISING SIGN
9. PREVIOUS ZONING HEARINGS, CRG PLANS, WAIVERS: NONE
10. PREVIOUS COMMERCIAL PERMITS: 190-86 FOR A PIT BEEF STAND
11. OWNERSHIP INFORMATION:
THERESA HOFFMAN
12627 BELAIR ROAD
BALTIMORE, MD 21087
12. DEED REFERENCE: 4964/0483
13. TAX MAP: 55, GRID: 8, PARCEL: 350
CENSUS TRACT: 4111.02
14. ELECTION DISTRICT NO. 11
15. COUNTY COUNCIL DISTRICT NO. 5
16. SETBACK REQUIREMENTS (PROPOSED SIGN LOCATION)

FRONT	REQUIRED	EXISTING
31' (SEE #17)	31.5' +/-	31' +/-
SIDE	0'	5' 240' +/-
REAR	0'	442' +/-

17. SETBACK AVERAGING COMPUTATIONS:	
EXISTING SETBACK	REQUIRED
BLDG TO NORTH (12639 BELAIR RD)	48' +/-
BLDG TO SOUTH (12627 BELAIR RD)	14' +/-
AVERAGE SETBACK	62' +/-

18. PARKING NOTE: PROPOSED SIGN LOCATION WILL NOT INTERFERE WITH ANY EXISTING PARKING SPACES, LOADING AREAS OR TRAVEL AISLES.
19. UTILITIES: SITE IS SERVED BY EXISTING PUBLIC UTILITIES
20. ZONING NOTES: OUTDOOR ADVERTISING SIGN

SECTION 413.3 (BCZR)
A. TOTAL SURFACE AREA OF SIGN = 300 S.F. PER SIDE (600 S.F. TOTAL)
B. N/A
C. THE SIGN IS LOCATED BEHIND THE FRONT YARD SETBACK.
D. SIGN IS NOT LOCATED WITHIN 100 FEET OF ANY STREET INTERSECTIONS.
E. A VARIANCE IS REQUESTED TO PERMIT THE SIGN TO BE ERRECTED IN A BL ZONE WITH 15' IN LIEU OF THE REQUIRED 50' OF THE AVAILABLE FRONTAGE BETWEEN STREETS, ON THAT SIDE, IMPROVED WITH COMMERCIAL USES. THE STREET FRONTAGE (BELAIR ROAD) BETWEEN NEW CUT ROAD AND THE HARFORD COUNTY BORDER IS COMMERCIALY DEVELOPED AS FOLLOWS:

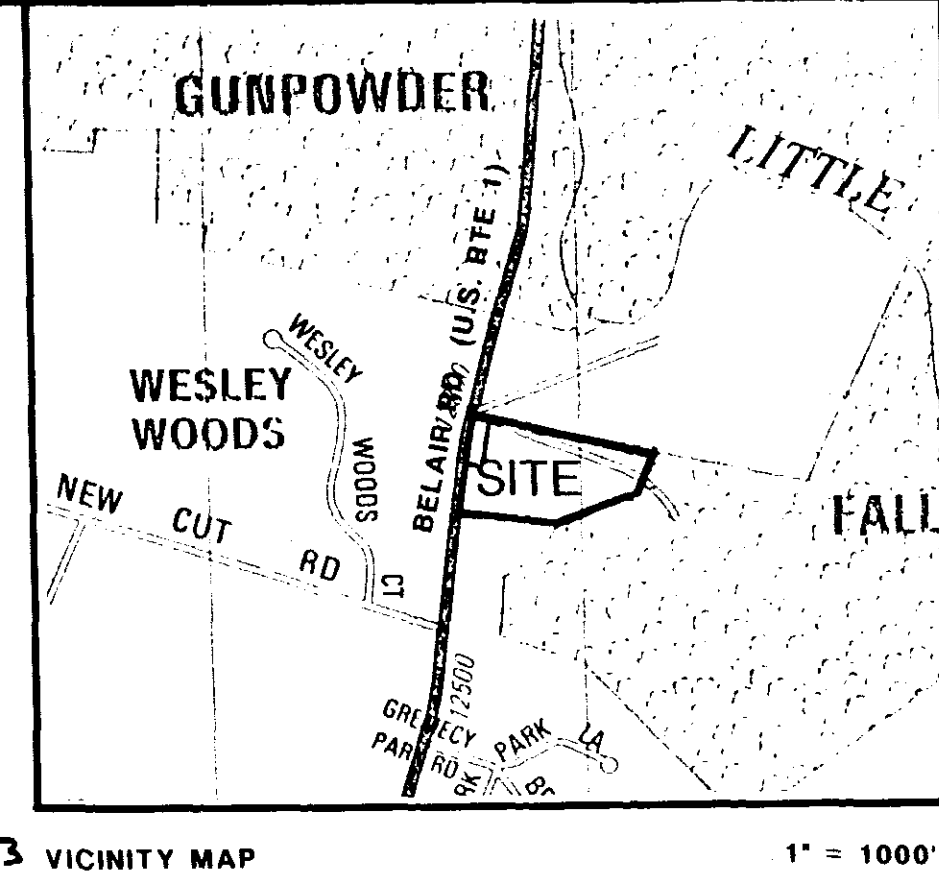
EXISTING USES	FRONTAGE
AUTO REPAIR SHOP (12639 BELAIR ROAD)	= 245 FT +/-
TAVERN (12627 BELAIR ROAD)	= 252 FT +/-
RESIDENTIAL	= 580 FT +/-
STATE PARK & S.H.A.	= 2200 FT +/-
TOTAL FRONTAGE	= 3277 FT +/-
PERCENT COMMERCIAL	= 15% +/-

- F. THERE ARE NO EXISTING OUTDOOR ADVERTISING SIGNS WITHIN 100 FEET OF THE PROPOSED SIGN LOCATION
- G. N/A
- H. N/A
- I. N/A

- A. THE SURFACE AREA OF THE PROPOSED SIGN INCLUDES THE ENTIRE FACE OR FACES OF THE SIGN. (SEE ELEVATION)
- B. THE SIGN DOES NOT PROJECT INTO THE STREET RIGHT-OF-WAY.
- C. THE SIGN HAS BEEN LOCATED TO ALLOW CLEAR AND AMPLE VISUAL SIGHT LINES FROM ALL EXISTING DRIVEWAYS AND STREET INTERSECTIONS.
- D. THE SIGN SHALL NOT EXTEND MORE THAN 25 FEET ABOVE THE LEVEL OF THE STREET (BELAIR ROAD)
- E. THE SIGN WILL BE ILLUMINATED IN SUCH A WAY TO AVOID GLARE AND REFLECTION ONTO ADJACENT ROADS, ONCOMING VEHICLES OR ONTO ANY ADJACENT RESIDENTIAL PREMISES. LIGHTING WILL BE MOUNTED ON THE TOP OF THE SIGN AND AIMED DIRECTLY AT THE SURFACE OF THE SIGN.

SECTION 259.3 (C)(1) SIGN REGULATIONS

- a) GROSS FLOOR AREA PERMITTED = 6680 S.F.
GROSS FLOOR AREA PERMITTED = 6680 S.F.
- b) PAR = BLDG AREA = 6680
LOT AREA = 360,241 = .018
PAR PERMITTED .20
- c) BUILDING HEIGHT 4' 30'
EXISTING BUILDING - NO ALTERATIONS/
ADDITIONS BEING MADE



1" = 1000'

**PLAN TO ACCOMPANY SPECIAL EXCEPTION
AND VARIANCE APPLICATION
12627 BELAIR ROAD (U.S. RTE 1)
BALTIMORE COUNTY, MARYLAND**

EXHIBIT #7

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMMONS
TOWSON, MARYLAND 21204
(410) 494-8931

APPLICANT:
PENW ADVERTISING OF BALTIMORE, INC.
3001 REMINGTON AVENUE
BALTIMORE, MARYLAND 21211

DATE: 2/10/1992
JOB NO: 92-012
SCALE: 1" = 50'

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3/19/1992

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/19/1992.

TOWSON TIMES.

Publisher

\$88.75

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-328-A
NEC York & Timonium Road
2085 York Road
8th Election District
4th Councilmanic
Legal Owner(s): James Stratakis
Lessee: Nationwide Motor Sales Corporation
Hearing Date: Friday, April 10, 1992 at 2:00 p.m.
Variance: to permit 337.1 sq. ft. of sign area in lieu of the permitted 100 sq. ft.
LAWRENCE E. SCHMIDT
Zoning Commissioner of Baltimore County
TTJ-3216 March 19

CERTIFICATE OF PUBLICATION

TOWSON, MD. 3/19/1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/19/1992.

THE JEFFERSONIAN.

Publisher

\$88.75

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-328-A
NEC York & Timonium Road
2085 York Road
8th Election District
4th Councilmanic
Legal Owner(s): James Stratakis
Lessee: Nationwide Motor Sales Corporation
Hearing Date: Friday, April 10, 1992 at 2:00 p.m.
Variance: to permit 337.1 sq. ft. of sign area in lieu of the permitted 100 sq. ft.
LAWRENCE E. SCHMIDT
Zoning Commissioner of Baltimore County
TTJ-3216 March 19

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

92-328-A

04A04#0145MICHSC \$175.00
8A C00130PM02-26-92
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

92-328-A

Lessee: Nationwide Motor Sales

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 3/19/92

Nationwide Motor Sales Corp.
2085 York Road
Timonium, Maryland 21093

RE:
CASE NUMBER: 92-328-A
NEC York & Timonium Road
2085 York Road
8th Election District - 4th Councilmanic
Legal Owner(s): James Stratakis
Lessee: Nationwide Motor Sales Corporation

Dear Petitioner(s):

Please be advised that \$175.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID, ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

cc: Stuart D. Kaplow, Esq.

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MARCH 10, 1992

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-328-A
NEC York & Timonium Road
2085 York Road
8th Election District - 4th Councilmanic
Legal Owner(s): James Stratakis
Lessee: Nationwide Motor Sales Corporation
HEARING: MONDAY, APRIL 5, 1992 at 10:30 a.m.

Variance to permit 337.1 sq. ft. of sign area in lieu of the permitted 100 sq. ft.

Lawrence E. Schmidt
Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: James and Georgia Stratakis
Nationwide Motor Sales Corp.
Stuart D. Kaplow, Esq.

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

April 6, 1992

(410) 887-3353

Stuart D. Kaplow, Esquire
Frank, Bernstein, Conaway & Goldman
Suite 1700, 300 East Lombard Street
Baltimore, MD 21202

RE: Item No. 335, Case No. 92-328-A
Petitioner: James Stratakis, et ux
Petition for Variance

Dear Mr. Kaplow:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 11th day of March, 1992.

Arnold Jablon
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: James Stratakis, et ux

Petitioner's Attorney: Stuart D. Kaplow

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

MARCH 10, 1992

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JAMES STRATAKIS AND GEORGIA STRATAKIS

Location: #2085 YORK ROAD

Item No.: 335 Zoning Agenda: MARCH 17, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

RECEIVED: [Signature] Noted and
Planning Group Approved Fire Prevention Bureau
Special Inspection Division

JB/KKK

RECEIVED
MAR 12 1992

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 13, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 17, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 335, 338, 339, 343, 347, 348, 349, 350, 352 and 353.

For Item 351, the site is subject to the previous minor subdivision comments.

For Item 355, the site must be submitted through the minor subdivision process for review and comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developers Engineering Division

RWB:s

RECEIVED
MAR 17 1992

04-3-92 04:03PM P002 #16

ISUZU

April 7, 1992

Mr. William Schaefer, Jr.
Nationwide Isuzu
2070 York Road
Timonium, Maryland 21093

Dear Bill:

This letter is to advise you that it is a franchise requirement that Nationwide Isuzu have a free standing Isuzu sign that stands alone and separate from any other franchise signage.

Thank you for your immediate compliance with this requirement.

Very truly yours,

Joseph L. Fellona
Joseph L. Fellona
Director
Mid-Atlantic Region

JLF/clc
B:483

SUZUKI
AMERICAN SUZUKI MOTOR CORPORATION
AUTOMOTIVE

April 7, 1992

Mr. Bill Schaefer
Nationwide Suzuki
2085 York Road
Timonium, MD 21093

Dear Bill:

This letter will serve as notification that American Suzuki Motor Corporation requires a free standing brand pole sign. The pole sign must stand alone, separate from any other identification for other franchises.

If you have any questions or need any additional information, please let me know.

Sincerely,

AMERICAN SUZUKI MOTOR CORPORATION
Automotive Division

Michael L. Ross
Michael L. Ross
Regional Sales Manager

MLR/ue

IN RE: PETITION FOR ZONING VARIANCE
NW/8 Timonium Road, 195' NE of
the c/l of the Northern Central
Railway to the RR's Main Track
(20 + 22 W. Timonium Road)
8th Election District
3rd Councilmanic District
Nationwide Motor Sales, Inc.
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-151-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 413.2(e) to permit two existing identification signs of 227.4 sq.ft. total on separately leased parcels in a commercial center in lieu of the permitted one sign of 150 sq.ft. total on each separately leased parcel, and to permit existing business signs of 319.2 sq.ft. total in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibits 1A and 1B.

The Petitioner, by Kevin Schaefer, appeared, testified and was represented by Julius W. Lichter, Esquire. Also appearing on behalf of the Petition was Robert E. Nathan, Sr. with Claude Neon Signs. There were no Protestants.

Testimony indicated that the subject property, known as 20 through 22 West Timonium Road, consists of 2.7 acres more or less zoned B.M. and is improved with a new and used car sales and service dealership. The Petitioners, which have been in the automobile sales business for over 20 years, are desirous of replacing existing signage identifying the Isuzu dealership with a sign to identify the new Infiniti line of automobile as set forth in Petitioner's Exhibit 1A.

Petitioners testified that existing Sign No. 1, which is comprised of approximately 37.8 sq.ft. per side and identifies the Saab deal

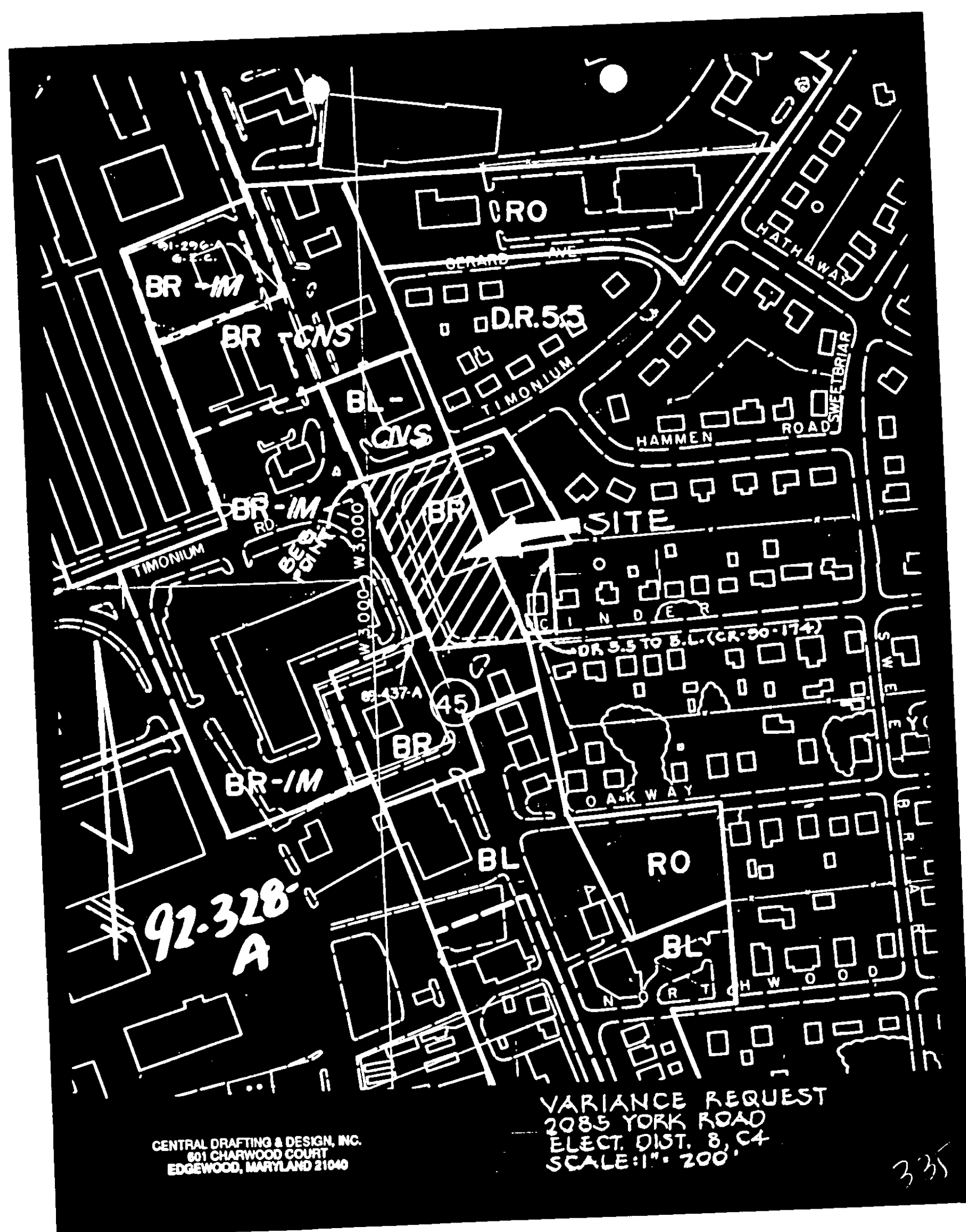
Action 3: Initiate a program to provide an incentive for adjacent property owners to install buffer planting and fencing to screen their existing development from the light rail. Property owners who "clean-up their backyards" in conformance with the design guidelines would be permitted to install a small, standardized and tastefully designed sign showing the company name visible to the light rail line.

Action 4: Initiate a SWAT program for communities and businesses who clean up and remove debris within the rail right-of-way.

Issue: Improving the Visual Quality of the York Road Corridor.

The growth of commercial and office uses along York Road has resulted in signage clutter, numerous curb cuts, traffic flow and safety problems, discordant architecture, and lack of landscaping. It has become a harsh environment, where the overhead utility lines are the only unifying design element. A beautification program for the corridor would establish pride for the area businesses and make the area more appealing to shoppers. Functionally, business development can be directed to established or proposed commercial nodes. This would allow traffic-generating commercial activities to be consolidated into specific locations along York Road, minimize the number of curb cuts and left turn maneuvers and thereby improve traffic flow.

VIII-13



BUILDING MOUNTED SIGNS (ALL EXISTING)

NORTH WALL

SIGN	SIZE	TYPE	AREA
A	24.8' x 3.0'	Wall Mount	74.4 S.F.
B	15.0' x 3.0'	"	45.0 S.F.
C	15.0' x 2.5'	"	37.5 S.F.
TOTAL PROVIDED =			156.9 S.F.
TOTAL PERMITTED = 4 x 92.0' =			368.0 S.F.

WEST WALL

SIGN	SIZE	TYPE	AREA
D	15.0' x 2.5'	Wall Mount	37.5 S.F.
E	15.0' x 3.0'	"	45.0 S.F.
F	26.0' x 2.5'	"	65.0 S.F.
G	15.0' x 3.0'	"	45.0 S.F.
H	15.0' x 2.5'	Wall Mount	37.5 S.F.
L	16.5' x 3.0'	Roof Mount	99.0 S.F.
TOTAL PROVIDED =			329.0 S.F.
TOTAL PERMITTED = 4 x 138.0' =			552.0 S.F.

SOUTH WALL

SIGN	SIZE	TYPE	AREA
I	17.2' x 3.5'	Wall Mount	60.2 S.F.
J	15.0' x 3.0'	"	45.0 S.F.
K	24.8' x 3.0'	"	74.4 S.F.
TOTAL PROVIDED =			179.6 S.F.
TOTAL PERMITTED = 4 x 92.0' =			368.0 S.F.

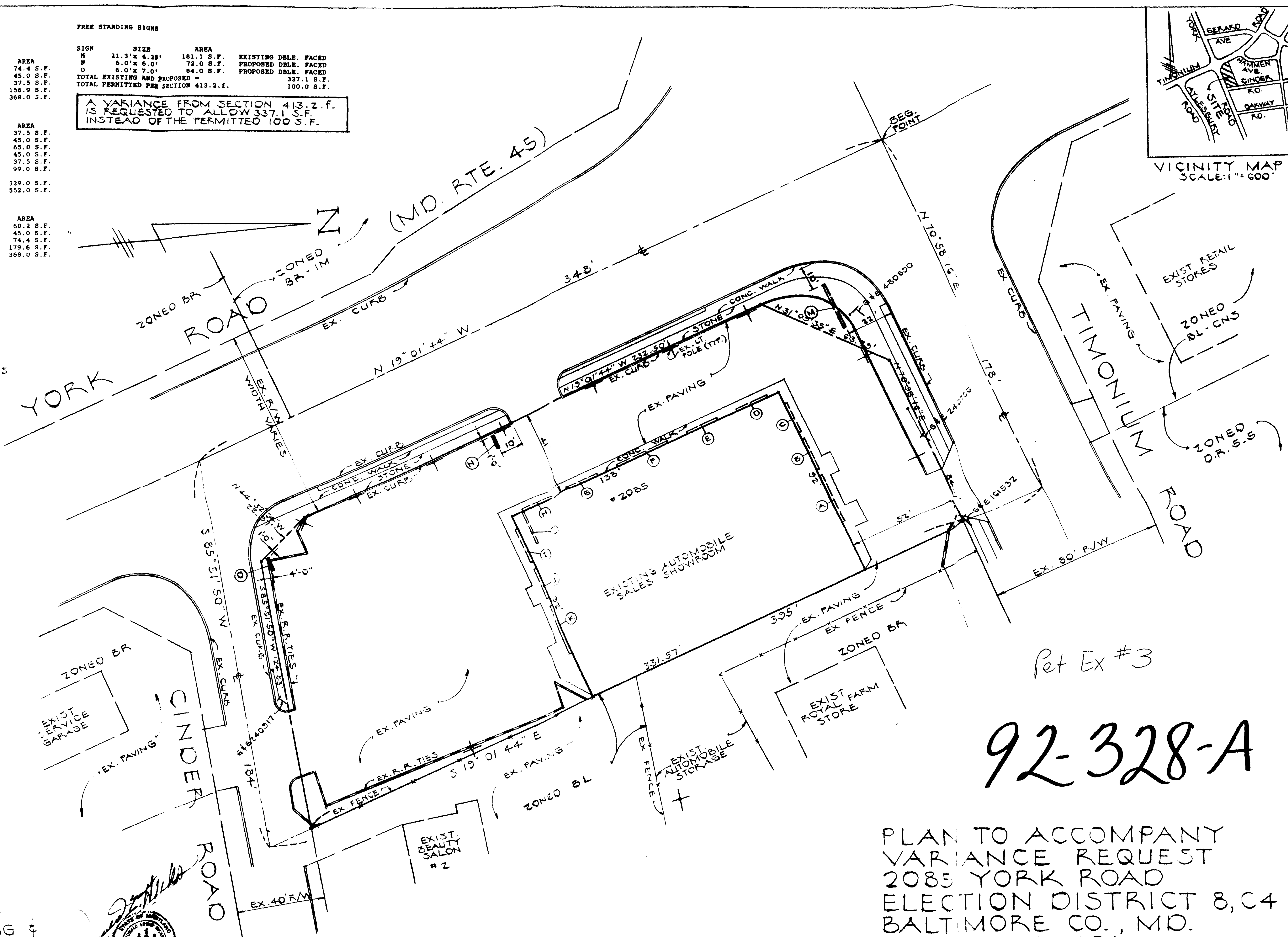
FREE STANDING SIGNS

SIGN	SIZE	AREA	EXISTING DBLE. FACED
M	21.3' x 4.25'	181.1 S.F.	
N	6.0' x 6.0'	72.0 S.F.	PROPOSED DBLE. FACED
O	6.0' x 7.0'	84.0 S.F.	PROPOSED DBLE. FACED
TOTAL EXISTING AND PROPOSED =		337.1 S.F.	
TOTAL PERMITTED PER SECTION 413.2.F.		100.0 S.F.	

A VARIANCE FROM SECTION 413.2.F.
IS REQUESTED TO ALLOW 337.1 S.F.
INSTEAD OF THE PERMITTED 100 S.F.

NOTES :

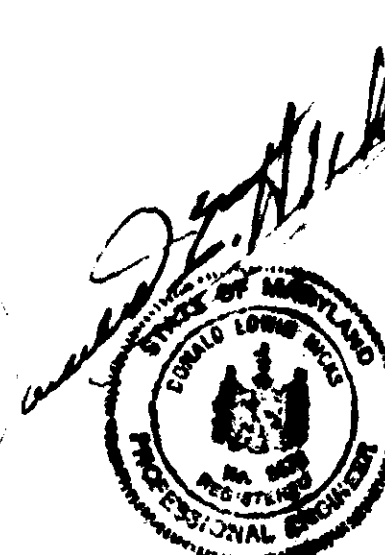
1. EX ZONING - BR
2. NET AREA = 0.033 AC.±
3. EX USE : AUTOMOBILE SALES



Ret Ex #3

92-328-A

CENTRAL DRAFTING &
DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD. 21040
(410) 673-8713



PLAN TO ACCOMPANY
VARIANCE REQUEST
2085 YORK ROAD
ELECTION DISTRICT 8, C4
BALTIMORE CO., MD.
SCALE : 1" = 20'
FEBRUARY 6, 1992
SHEET 1 OF 2

BALTIMORE COUNTY

HARFORD COUNTY

PROPOSED
OUTDOOR/ADVERTISING
SIGN/LOCATION

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
WATSONVILLE, CA 95070

PERMITTERS
EXHIBIT

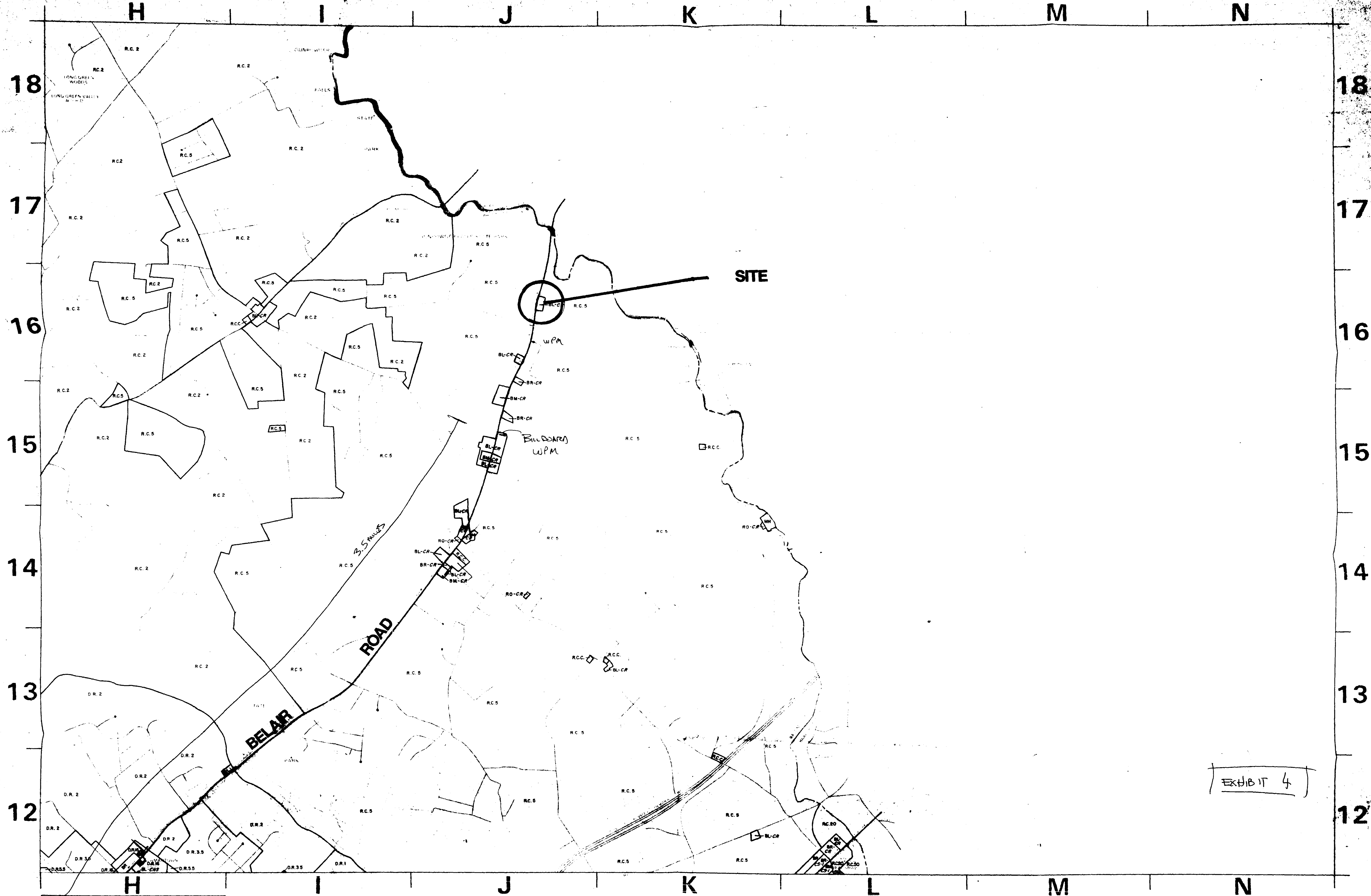
5

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
SOUTH OF
RECKORD

SHEET
NE
16-J



WPM

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Ord. 15, 1992
 Ord. Nos. 150-93, 154-93, 155-93, 159-93, 167-93, 170-93, 177-93, 180-93
William H. Thomas
 Chairman, County Council

Baltimore County, Maryland

<table border="1"> <tr><td>A1</td><td>A2</td></tr> <tr><td>B1</td><td>B2</td></tr> <tr><td>C1</td><td>C2</td></tr> <tr><td>D1</td><td>D2</td></tr> <tr><td>E1</td><td>E2</td></tr> <tr><td>F1</td><td>F2</td></tr> <tr><td>G1</td><td>G2</td></tr> </table>				A1	A2	B1	B2	C1	C2	D1	D2	E1	E2	F1	F2	G1	G2	<p>Revisions</p>		<p>Grid North</p>	<p>SHEET</p> <h2>D-4</h2> <p>Scale: 1"=1000'</p>
A1	A2																				
B1	B2																				
C1	C2																				
D1	D2																				
E1	E2																				
F1	F2																				
G1	G2																				
<p>Map Index</p>		<p>Miles</p> <p>Feet</p>																			

Completed in the Office of Planning and Zoning by
 Deborah A. Davis from Baltimore County's January
 1992. A 20% amendment map series partially
 covers the area shown. (Note: This is a preliminary
 County Plan. It is not a final map.)

